

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM BRANDON CUMMINGS	:	CIVIL ACTION
	:	
v.	:	
	:	
SGT. SMITH, <i>et al.</i>	:	NO. 09-cv-0335-JF

ORDER

AND NOW, this 20th day of January 2011, upon consideration of Defendant Sgt. Tyrone Simmons's (misspelled "Simmens" on the docket) "Motion to Dismiss Plaintiff's Amended Complaint" (Document No. 19), and the responses thereto, IT IS ORDERED:

1. That Defendant Sgt. Tyrone Simmons's motion is GRANTED. All claims are dismissed as to Defendant Simmons ONLY. A separate order will be entered on this date allowing the action to proceed as to Sgt. Smith.

2. It is further ordered that Plaintiff's "Motion for an Order Compelling Discovery" (Document No. 22) is DISMISSED AS MOOT.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.